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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,348	12/23/2003	Samir Raiyani	13909-138001 / 2003P00442	4705
32864 7590 01/29/2008 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER HAQ, NAEEM U	
			ART UNIT 3625	PAPER NUMBER
			MAIL DATE 01/29/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/743,348	Applicant(s) RAIYANI ET AL.	
	Examiner Naeem Haq	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-16, 18-21, 32-34, 36-42 and 44-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-16, 18-21, 32-34, 36-42 and 44-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to the Applicants' amendment filed on November 21, 2007. Claims 17, 35, and 43 have been cancelled. Claims 14-16, 18-21, 32-34, 36-42, and 44-47 are pending and will be considered for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14-16, 18, 20, 21, 32-34, 36, 38, 39-42, 44, 46, and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Jelen et al. (US 6,129,276) (“Jelen”).

Referring to claim 14: Jelen teaches a computer-implemented method comprising:

- outputting a first page for display on an electronic device, the first page including a first field for receiving a first customer request (*col. 8, lines 53-66; Figure 7; col. 7, lines 44-46; col. 9, lines 22-28; Figure 11*);
- receiving the first customer request in a selected input modality chosen from among a plurality of input modalities available for data entry into the

first field (*col. 4, lines 26-30; col. 8, lines 60-66; Figure 7; col. 9, lines 6-9; col. 13, lines 39-59; Figure 11; Abstract, lines 5-11*). The Applicants' specification teaches that "input modalities" can include a web page with HTML content (*see Applicants' spec. page 57, lines 5-11*), keyboard, buttons or mouse (*see Applicants' spec page 66, line 31-32*).

- determining sales information responsive to the customer request by receiving an auto- identification signal from a mobile container, the auto-identification signal identifying a product for sale, wherein the mobile container is equipped with a reader for reading the auto- identification signal and a transmitter for transmitting the auto-identification signal (*col. 5, lines 11-40*);
- associating the sales information with each of the plurality of input modalities (*col. 9, line 35-38; col. 10, lines 48-65*);
- outputting a second page for display on the electronic device, the second page displaying the sales information and including a second field for receiving a second customer request in any one of the plurality of input modalities (*col. 5, lines 40-44; col. 9, lines 39-55; col. 10, lines 48-65*).

Referring to claim 15: Jelen teaches that the first request comprises a request for product information associated with a product for sale, including price and description information (*col. 5, lines 40-42; col. 10, lines 48-65*).

Referring to claim 16: Jelen teaches receiving the second customer request including a purchase request associated with financial transaction information; and completing a sale of the product, based on the financial transaction information (*Figure 16*).

Referring to claim 18: Jelen teaches that the electronic device includes a mobile device (*Title; col. 3, lines 50-54; Figure 21*).

Referring to claim 20: Jelen teaches that the first customer request comprises receiving text input, and wherein the first page is associated with HTML (*col. 8, lines 53-66; Figure 7; col. 7, lines 44-46; col. 9, lines 22-28; Figure 11*).

Referring to claim 21: Jelen teaches associating the sales information with each of the plurality of input modalities comprises expressing the sales information in each of a plurality of formats, wherein each of the plurality of formats is associated with one of the plurality of input modalities (*col. 10, lines 48-65*).

Referring to claims 32 and 40: Claims 32 and 40 are rejected under the same rationale as set forth above in claim 14.

Referring to claims 33 and 41: Claims 32 and 40 are rejected under the same rationale as set forth above in claim 15.

Referring to claims 34 and 42: Claims 32 and 40 are rejected under the same rationale as set forth above in claim 16.

Referring to claims 36 and 44: Claims 32 and 40 are rejected under the same rationale as set forth above in claim 18.

Referring to claims 38 and 46: Claims 38 and 46 are rejected under the same rationale as set forth above in claim 20.

Referring to claims 39 and 47: Claims 38 and 46 are rejected under the same rationale as set forth above in claim 21.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 19, 37, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jelen et al. (US 6,129,276) (“Jelen”) in view of Official Notice.

Referring to claim 19: Jelen teaches all the limitations of claim 14 as noted above. Jelen does not teach that the first page is associated with VXML. However, Official Notice is taken that it is old and well known in the art to use VXML for data entry. Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate these features into Jelen. One of ordinary skill in the art would have been motivated to do so in order to provide a user with a user-friendly and hands-free way of entering data.

Referring to claims 37 and 45: Claims 33 and 41 are rejected under the same rationale as set forth above in claim 19.

Response to Arguments

Applicants' arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571)-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Naeem Haq/
Primary Examiner, Art Unit 3625

January 26, 2008

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